

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,** )

**Plaintiff,** )

**vs.** )

**Case No. 06-00091-01/03-CR-W-GAF**

**ROBERT A. SCHLOTZHAUER,** )

**FALCON HELICOPTER, INC. and** )

**LEE'S SUMMIT TURBINE, LLC,** )

**Defendants.** )

**ORDER**

Now pending before the Court is Defendants' Motion to Vacate (Doc. #61). On October 12, 2007, United States Magistrate Judge Sarah W. Hays heard oral argument with respect to the motion to vacate. An evidentiary hearing scheduled for October 30, 2007, was postponed at Defendants' request. On December 20, 2007, an evidentiary hearing was held on Defendants' Motion to Vacate. On January 11, 2008, United States Magistrate Sarah W. Hays issued her Report and Recommendation. On January 25, 2008, Defendants filed their objections.

Upon careful and independent review of the pending motion, Defendants' objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is hereby ORDERED that Defendants' Motion to Vacate (Doc. #61) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: February 4, 2008